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United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General

Summary

The present report, which is submitted in accordance with General Assembly resolutions 36/151 and 63/166, describes the recommendations for grants to beneficiary organizations that were adopted by the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture at its twenty-ninth and thirtieth sessions. The report also provides information on policy decisions adopted by the Board in implementation of the recommendations made by the Office of Internal Oversight Services (see E/CN.4/2005/55) with a view to further enhancing the activities of the Fund.

* A/64/150.

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I. Introduction

A. Submission of the report

1. The present report was prepared in accordance with the arrangements approved by the General Assembly in its resolution 36/151, by which it established the United Nations Voluntary Fund for Victims of Torture, and Assembly resolution 63/166. It presents the recommendations adopted by the Board of Trustees of the Fund at its twenty-ninth and thirtieth sessions, held in Geneva from 13 to 17 October 2008 and from 4 to 6 February 2009. The United Nations High Commissioner for Human Rights approved these recommendations on behalf of the Secretary-General. The present report complements the report on the activities of the Fund submitted to the Human Rights Council at its tenth session in January 2009 (A/HRC/10/40).

B. Mandate of the Fund

2. The Fund receives voluntary contributions from Governments, non-governmental organizations and individuals. In accordance with the practice established by its Board of Trustees in 1982, the Fund provides grants to non-governmental organizations that submit projects involving medical, psychological, social, financial, legal and humanitarian or other forms of assistance to torture victims and their relatives.

C. Board of Trustees

3. The Secretary-General administers the Fund through the Office of the United Nations High Commissioner for Human Rights with the advice of a Board of Trustees composed of five members acting in their personal capacity and appointed by the Secretary-General with due regard to equitable geographical distribution and in consultation with their Governments. In October 2008, the Secretary-General reappointed the following members for a final period of three years: Krassimir Kanev (Bulgaria), Savitri Goonesekere (Sri Lanka), Joseph Oloka-Onyango (Uganda), and Derrick Pounder (United Kingdom of Great Britain and Northern Ireland), and appointed Mercedes Doretti (Argentina) for a three-year term, renewable once.

4. The Board held its twenty-ninth session in Geneva from 13 to 17 October 2008 to examine applications for funding and make recommendations on grants to be allotted to beneficiary organizations for the period from January to December 2009.[1] In addition, at its thirtieth session, held from 4 to 6 February 2009, the Board discussed mainly policy issues. At that session, the Board also awarded grants for projects from priority regions which had not been decided upon at its twenty-ninth session owing to the insufficient information available at that time, as well as for projects from priority regions that had applied in the period between sessions.

[1] See A/HRC/10/40.

D. Admissibility criteria

5. Project admissibility criteria, outlined in the Fund's guidelines, require that a project be presented by a non-governmental organization. The beneficiaries must be direct victims of torture and/or direct family members. Priority is given to projects providing direct assistance to torture victims. This could consist of medical or psychological assistance; help with social or financial reintegration through vocational training for victims; or legal assistance to seek redress for victims or members of their families or to process asylum-seekers' claims. Depending on the available funding, the Fund may finance projects to organize training programmes, seminars or conferences to allow health-care professionals or other service providers to exchange best practices. Grant requests for projects involving investigation, research, studies, publications or similar activities are not, however, admissible.

6. The Fund can provide emergency assistance to individuals in countries where no project is receiving support. This type of request is examined according to a specific procedure outlined in the Fund's guidelines. Detailed information on the various types of assistance provided through the projects financed by the Fund, as well as their impact on beneficiaries, can be found in the report of the Secretary-General to the General Assembly at its fifty-eighth session (A/58/284, paras. 27-34).

II. Financial situation of the Fund

Contributions and pledges received

7. Since the last report of the Secretary-General to the General Assembly on the activities of the Fund (A/63/220), contributions and pledges were received as per the table below. These contributions will enable the Board to make recommendations for grants at its thirty-first session, to be held from 19 to 23 October 2009. Grants recommended at the next session of the Board will be disbursed in January 2010 for the year from 1 January to 31 December 2010.

Table 1
Contributions and pledges received from 17 October 2008 to 31 July 2009

Donors	*Amount (in United States dollars)*	*Date of receipt*
Contributions		
States		
Algeria	5 000.00	05.03.2009
Andorra	32 038.60	20.11.2008
Andorra	30 928.27	14.07.2009
Austria	85 978.84	21.01.2009
Belgium	129 364.81	17.11.2008
Brazil	20 000.00	04.12.2008
Bulgaria	3 000.00	22.12.2008
Canada	49 884.48	07.01.2009

Chile	10 000.00	17.06.2009
Croatia	6 000.00	04.12.2008
Denmark	343 465.57	17.03.2009
Finland	203 626.22	25.06.2009
France	255 754.48	17.03.2009
Germany	557 880.06	06.07.2009
Greece	14 306.15	31.12.2008
Hungary	6 963.79	01.01.2009
Israel	2 500.00	01.01.2009
Kuwait	10 000.00	16.06.2009
Liechtenstein	26 062.73	03.07.2009
Luxembourg	32 808.40	09.02.2009
Monaco	17 127.80	14.04.2009
Morocco	3 000.00	29.04.2009
Netherlands	1 119 970.00	14.11.2008
Norway	155 400.16	23.07.2009
Republic of Korea	70 000.00	25.11.2008
South Africa	9 986.60	06.04.2009
Spain	388 601.04	16.12.2008
Turkey	10 000.00	26.03.2009
Venezuela	5 000.00	09.02.2009
Individuals		
Thomas Franckl	328.08	10.02.2009
Rita Maran	50.00	18.12.2008
Total contributions	**3 602 026.20**	
Pledges		
Belgium	127 877.24	02.03.2009
Greece	42 194.09	30.06.2009
Ireland	100 000.00	17.07.2009
Netherlands	1 120 000.00	02.03.2009
Total pledges	**1 390 071.30**	

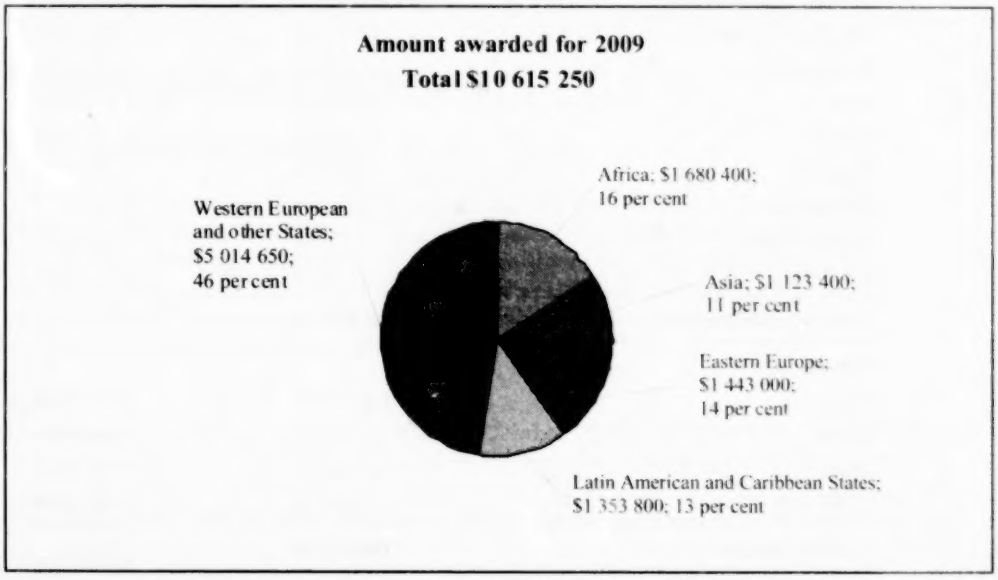
Table 2
Grants awarded between 2005 and 2009, by region
(in United States dollars)

	2005	*Percentage*	*2006*	*Percentage*	*2007*	*Percentage*	*2008*	*Percentage*	*2009*	*Percentage*
Africa	295 500	5.42	407 500	7.03	640 000	10.37	1 205 000	14.04	1 680 400	16
Asia	497 500	9.12	465 400	8.03	556 000	9.01	853 500	9.94	1 123 400	11
Eastern Europe	474 000	8.69	606 500	10.46	771 000	12.49	1 215 000	14.16	1 443 000	14

	2005	Percentage	2006	Percentage	2007	Percentage	2008	Percentage	2009	Percentage
Latin American and Caribbean States	699 000	12.81	762 500	13.15	665 000	10.77	992 500	11.56	1 353 800	13
Western European and other States	3 489 500	63.96	3 557 000	61.34	3 541 500	57.37	4 316 700	50.30	5 014 650	46
Total allocated by the Board	**5 455 500**		**5 798 900**		**6 173 500**		**8 582 700**		**10 615 250**	
Total amount paid to organizations	**4 835 000**		**5 793 900**		**6 133 910**		**8 568 400**		[a]	

[a] The final amount paid in 2009 is not available at the time of writing the present report as some grants recommended at the thirtieth session of the Board, in February 2009, are yet to be paid.

Table 3
Grants awarded in 2009 by region
(in United States dollars)


Amount awarded for 2009
Total $10 615 250
Africa; $1 680 400; 16 per cent
Western European and other States; $5 014 650; 46 per cent
Asia; $1 123 400; 11 per cent
Eastern Europe; $1 443 000; 14 per cent
Latin American and Caribbean States; $1 353 800; 13 per cent

8. During the reporting period, the Board continued its efforts to provide a greater number of grants to organizations working in the countries of origin of victims. As tables 2 and 3 above show, the proportion of funding allocated to organizations in Africa, Asia and Latin America has continued to increase during 2009, whereas the proportion of funding allocated to organizations in Western European and other States has decreased by 18 points since 2005.

III. Twenty-ninth and thirtieth sessions of the Board of Trustees

9. At its twenty-ninth session, the Board of Trustees examined information prepared by its secretariat concerning 225 projects, including new applications for 2009, and the analysis of narrative, financial and audit reports on the use of grants paid in previous years. It considered requests for new grants amounting to $15,265,197 for 167 ongoing and 28 new projects to be implemented in 2009. In addition, the Board held a meeting with the United Nations High Commissioner for Human Rights, and a meeting with Member States which was attended by 11 delegations. The Board invited several grantees currently involved in capacity-building projects linking organizations in developed countries with organizations in developing countries to present their respective experience. Finally, Member States attended a presentation by the Office of Internal Oversight Services on follow-up to its report on the evaluation of the Fund.

10. The thirtieth session of the Board of Trustees was mainly devoted to the discussion of policy issues and meetings with relevant actors in the field of assistance to victims of torture, including other United Nations entities. The Board also considered additional grant requests for 2009 from projects in priority regions amounting to $1,558,162 from 29 projects.

A. Recommendations adopted by the Board

11. At its twenty-ninth and thirtieth sessions, the Board of Trustees made recommendations for grants for the period January to December 2009 for more than 205 projects in over 65 countries, for a total amount of $10,615,250 after deduction of programme support cost and operating cash reserve. The Board also recommended that $300,000 be set aside for inter-sessional and/or emergency grants for the year 2009.

B. Policy decisions

Twenty-ninth session of the Board of Trustees

12. During the twenty-ninth session, the Board discussed policy issues related to multi-year funding; penalization policy for late and non-reporting grantees; options to contribute to the capacity-building of grantees; and guidelines for grantees on how to use awards received from successful litigation supported with the Fund's grants.

13. The Board continued its discussion on multi-year funding, noting that its objectives were to provide organizations with sustainability and the possibility of advanced planning. In that respect, the Board identified a group of grantees which met criteria established at its twenty-eighth session to be considered in first place when allocating funds for disbursement. The criteria included, inter alia, being projects of a relatively small size with a high level of dependency on and with an established relationship with the Fund and being in full compliance with the requirements of the Fund. Inclusion in the list was for a rolling period of three years subject to satisfactory reporting on the use of previous grants. Grantees were informed of the selection in 2009 for the first rolling period from 2010 to 2012.

14. The Board recommended that projects that submitted late reports on the use of previous grants without prior authorization by the secretariat be penalized. In that respect, the penalization would be a reduction of between 5 and 25 per cent of the grant awarded for the following cycle, depending on the length of the delay in submitting the reports. Should the delay persist, the penalty might be doubled in future considerations of applications. Failure to submit narrative and financial reports by the October session of the Board would result in the new application being considered as inadmissible and a refund of the previous grant would be requested.

15. The Board also discussed the importance of building the capacity of grantees in different areas where problems had been identified by the secretariat, including meeting the reporting requirements of the Fund, management capacity, language problems and fund-raising. In that respect, the Board reviewed a list of projects in need of assistance, and recommended that a maximum of 1 per cent of the Fund's budget be set aside every year for project monitoring.

16. Regarding guidelines for grantees on the use of awards received from successful litigation supported with the Fund's grants, the Board agreed to the principle that income received from legal proceedings supported by the Fund belonged to the Fund. Therefore, organizations had the obligation to inform the Fund and be accountable for the money received. For organizations that had a project for the rehabilitation of victims of torture in place, the Fund would like to see the awards received being used as income for the project, subject to advance approval by the Fund. Should the Fund not approve of the proposal made by the organization, the money should then be refunded to the Fund. The new guideline would be in effect from 2010 onwards and would be applied to awards received from cases which started from 2010 onwards.

Thirtieth session of the Board of Trustees

17. At its thirtieth session, the Board discussed the possibility of identifying priority thematic areas of work and agreed on using the general call for proposals to encourage new applicants working in specific areas to submit applications. The Board also discussed its policy of inviting grantees to attend its sessions and brief them about their work and agreed to continue its practice of taking the lead in selecting and inviting the grantees in order to ensure geographical and thematic balance at every session.

C. Meetings with relevant actors in the field of assistance to victims of torture

Twenty-ninth session of the Board of Trustees

18. During the twenty-ninth session, the Board held a meeting with the United Nations High Commissioner for Human Rights. The High Commissioner was pleased to note the recent efforts of the Board in going beyond grant-making and dedicating part of its work to developing important new policies and programmes, such as the one intended to build up the capacity of grantees.

19. In addition, the Board held a meeting with Member States which was attended by 11 delegations. In the context of that meeting, the Board invited several grantees

currently involved in capacity-building projects linking organizations in developed countries with organizations in developing countries in order to present their respective experiences. Organizations invited to make presentations were implementing projects in the Democratic Republic of Congo, Ecuador and Indonesia.

20. Finally, Member States attended a presentation by the Office of Internal Oversight Services on the follow-up to its report on the evaluation of the Fund. In its presentation, the Office highlighted the fact that 19 out of the 20 recommendations made in its evaluation in 2005 had been implemented. The Office of Internal Oversight Services commended the Board, the secretariat and the Office of the United Nations High Commissioner for Human Rights (OHCHR) for their work and efforts during the period, which have increased the efficiency of the Fund and reinforced its impact in assisting victims of torture.

Thirtieth session of the Board of Trustees

21. During the thirtieth session, the Board met with a number of other United Nations entities in order to create greater synergies and raise the profile of the Fund and its work. In that context, a meeting with the OHCHR Rapid Response Unit and Peace Missions Support was convened at which was discussed mechanisms and options for the Fund to offer United Nations peacekeeping missions instruments to provide direct assistance to victims through local organizations.

22. The Board also met with regional coordinators and staff members of the Field Operations and Technical Cooperation Division of OHCHR who were responsible for the coordination of the development and implementation of the Office's country engagement strategies in Africa, Asia, Europe, North America and Central Asia and Latin American and Caribbean States regions. During the meeting, several ideas on ways to further assist the Fund in implementing its mandate were discussed, including the designation of focal points within the field presences and in each regional unit in order to assist the Board in defining the thematic and regional priorities of the Fund.

23. The Board held a meeting with representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR) to discuss ways in which the Fund and the Office could enhance their mutual collaboration. The Board expressed its appreciation to UNHCR for its assistance in identifying reliable organizations and monitoring the work of grantees. The representatives of UNHCR noted the importance of the Fund's support to a considerable number of UNHCR partner organizations in the field. At the same time, UNHCR representatives noted that the Fund's potential could be better utilized by reaching out to more organizations and offered to disseminate information to UNHCR regional offices, which would in turn channel that information through its field presences.

24. The Board held a meeting with the International Committee of the Red Cross (ICRC) at which the main activities, modalities of work and ways to reach out to organizations in the field were discussed. ICRC offered to disseminate information about the Fund through its field presences and to encourage reliable non-governmental organizations from the field to apply to the Fund.

25. The Board met with a representative of the European Commission to discuss issues of common concern, namely new developments in the European

Commission's funding strategy for combating torture and assisting victims, the outcome of its latest call for proposals and the results of its most recent project evaluation exercise.

26. The Board continued its practice of meeting with other institutional donors in the field of assistance to victims of torture. A representative of the National Endowment for Democracy met with the Board to share information on its evaluation and monitoring policy and practices and to discuss initiatives to build the capacity of grantees.

IV. Outstanding recommendation of the Office of Internal Oversight Services

27. As a result of the work undertaken during the reporting period, the Office of Internal Oversight Services considers that only one recommendation, 9 (strengthened management system), is still being implemented.

28. OIOS has commended the considerable enhancements made to the administration of the Fund since its original evaluation in 2004, noting that the changes with regard to grant allocations, funding cycles, role and working methods of the Board, internal management, and donor relations will enhance overall efficiency and effectiveness of the Fund, which is crucial for the Fund to continue to make a positive difference in the lives of victims of torture.

Recommendation 9: strengthened management system

29. For the second time, applications for grants for 2010 were received through the online grant system of the Fund. During the period of the call for online applications, the secretariat offered a direct technical assistance service via e-mail to all organizations using the system and replied to multiple queries from ongoing and potential grantees. The secretariat continued working on enhancing the internal administration module of the grant management system of the Fund, in particular by entering historical data on all grants allocated by the Board in past years. On an exceptional basis, applications received from projects located in developing countries and experiencing technical difficulties in accessing the online grant system, have been accepted.

30. In addition, the online revision module allowing proposed budgets to be revised online was developed and launched for 2009 grants. The secretariat assisted organizations that have been awarded a grant for the period January to December 2009 in revising and submitting their budget proposal through the online grant system of the Fund.

31. The reporting module, closely linked to the existing application module, was conceptualized during 2008 and is currently under development in order to be ready for grantees to use to report on the 2009 grants by April 2010. The reporting module will be tested with a varied selection of grantees between September and December 2009, allowing its fine-tuning and upgrading. The secretariat is currently working on the French and Spanish versions of the reporting module. Finalization of this module should bring the online grant system to completion, as urged by the Office of Internal Oversight Services.

V. International Day in Support of Victims of Torture

32. On 26 June 2009, the Committee against Torture, the Subcommittee on Prevention of Torture, the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment, the Committee on the Rights of Persons with Disabilities and the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture made the following joint statement to commemorate the United Nations International Day in Support of Victims of Torture:

> A number of independent experts from several United Nations mechanisms, referring to the first session of the Committee on the Rights of Persons with Disabilities that convened in Geneva from 23 to 27 February 2009, recalled today that persons with disabilities continue to run an increased risk of falling victim to abuse and neglect in a number of contexts: many are involuntarily confined for long periods, at times without legal basis and proper review mechanisms and in inadequate conditions; inside institutions they are often subjected to restraint, sometimes severe forms of restraint, physical, mental and sexual violence, and seclusion; moreover, persons with disabilities are especially vulnerable to violence and abuse, including sexual abuse, inside the home, at the hands of family members, caregivers, health professionals and members of the community. Finally, they risk being exposed to medical experimentation and intrusive and irreversible medical treatments without their consent.
>
> They stated that "In light of the absolute prohibition of torture, no exceptional circumstances may be invoked for its justification, and States have the obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment, including of persons with disabilities". They further stressed that "Forms of severe violence perpetrated by State or private actors directed at disabled persons can amount to torture since, if their purpose is discriminatory, they fall within the definition of torture in the Convention against Torture".
>
> Insofar as certain prison conditions, interrogation techniques, or procedures which are in general permissible under international law may constitute torture and ill treatment if applied to a person with a disability, special needs have to be accommodated to live up to relevant human rights obligations. In addition, the infliction of torture and other forms of inhuman, cruel or degrading treatment or punishment may result in physical and/or mental disabilities or aggravate existing impairments.
>
> They stressed that two key-principles enshrined in several international instruments and re-enforced in the Convention on the Rights of Persons with Disabilities, should be at the centre of the protection of persons with disabilities at all times: non-discrimination in all areas, including confinement, and the requirement of free and informed consent to medical treatment. They also expressed their sincere hope that increased international scrutiny will help to shed light on abusive practices vis-à-vis persons with disabilities and to combat them more effectively. They therefore called on States that have not yet done so to become parties to the Convention against Torture and its Optional Protocol, as well as to the Convention on the Rights of Persons with

Disabilities, and to take all other measures aimed at ensuring that all persons with disabilities have the right to enjoy all human rights and are fully protected from torture and cruel, inhuman and degrading treatment and punishment.

They finally paid tribute to all Governments, civil society organizations and individuals engaged in activities aimed at preventing torture, punishing it and ensuring that all victims obtain redress and have an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. They expressed their gratitude to all donors to the United Nations Voluntary Fund for Victims of Torture and hope that contributions to the Fund will continue to increase, so that more victims of torture and members of their families can receive the assistance they need. They called on all States, in particular those which have been found to be responsible for widespread or systematic practices of torture, to contribute to the Voluntary Fund as part of a universal commitment for the rehabilitation of torture victims.

VI. How to make a contribution to the Fund

33. Contributions to the Fund should always be marked as follows: "payee: United Nations Voluntary Fund for Victims of Torture, account CH". Payments may be made either by bank transfer: (a) in United States dollars to "United Nations Geneva General Fund", account No. 485001802, J.P. Morgan Chase Bank, International Agencies Banking, 1166 Avenue of the Americas, 17th floor, New York, NY 10036-2708, United States of America (Swift code: CHAS US 33; ABA code: 021000021); (b) in euros to "United Nations Office at Geneva", account No. 23961901, J.P. Morgan Chase Bank, 125 London Wall, London EC2Y 5AJ, United Kingdom (Swift code: CHAS GB 2L, Sorting code: 60-92-42, IBAN: GB25 CHAS 6092 4223 9619 01); (c) in pounds sterling to "United Nations Office at Geneva", account No. 23961903, J.P. Morgan Chase Bank, 125 London Wall, London EC2Y 5AJ, United Kingdom (Swift code: CHAS GB 2L, Sorting code: 60-92-42, IBAN: GB25 CHAS 6092 4223 9619 03); (d) in Swiss francs to "United Nations Geneva General Fund", account No. 240-C0590160.0, UBS, rue du Rhône 8, Geneva 2, Switzerland (Swift code: UBSW CH ZH 12A; IBAN: CH65 0024 0240 CO59 0160 0); (e) in any other currency to "United Nations Geneva General Fund", account No. 240-C0590160.1, UBS, rue du Rhône 8, Geneva 2, Switzerland (Swift code: UBSW CH ZH 12A; IBAN: CH65 0024 0240 CO59 0160 1); (f) or by cheque payable to "United Nations" addressed to: Trésorerie, Nations Unies, Palais des Nations, CH 1211 Geneva 10, Switzerland. Donors are requested to inform the secretariat of the Fund and the Resource Mobilization Unit of the Office of the High Commissioner for Human Rights when a payment has been made (a copy of the bank transfer order or of the cheque would be appreciated) to facilitate effective follow-up on the official recording procedure and preparation of the Secretary-General's reports.

VII. Conclusions and recommendations

34. **Pursuant to the appeals by the General Assembly and the Board of Trustees of the Fund, donors are invited to pay their contributions to the Fund**

before the regular allocation period so as to enable the Board to take them into account at its thirty-first session, in October 2009.

35. **The General Assembly and the Board of Trustees have also urged regular donors to increase their contributions, if possible, in order to provide the Board with the resources required to meet the growing needs of torture victims and the members of their families.**

36. **The Board strongly encourages Governments that have not yet contributed to the Fund to do so for the first time, preferably before September 2009.**